OFE Rocket No.: 066661-0028

PATENT 163)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Customer Number: 41552

Ideker et al.

Confirmation Number: 7007

Serial No.: 09/823,850

Group Art Unit: 1631

Filed: March 30, 2001

Examiner: M. Zeman

For: TESTING FOR DIFFERENTIALLY-EXPRESSED GENES BY MAXIMUM

LIKELIHOOD ANALYSIS OF MICROARRAY DATA

CERTIFICATE OF MAILING BY EXPRESS MAIL(37 CFR § 1.10)

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NOTICE OF APPEAL
FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby appeal(s) to the Board of Appeals from the decision dated January 29,

2004, of the Primary Examiner finally rejecting claims 1-85.

08/03/2004 HALI11 00000002 502624 09823850

01 FC:2401

165.00 DA

Serial No. 09/823,850

Appeal Fee: \$165.00

Charge to Deposit Account No. 502624.

Respectfully submitted,

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Date: July 29, 2004 SDO 12840-1.066661.0028